

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY EUGENE ROZIER,

Plaintiff,

v.

PIERCE COUNTY, et al.,

Defendants.

C23-5724 TSZ SKV

DA'MENIQUE LAJUAN BEASLEY,

Plaintiff,

v.

PIERCE COUNTY COUNCIL, et al.,

Defendants.

C23-5777 TSZ SKV

ORDER

Having reviewed the Reports and Recommendations of the Honorable S. Kate Vaughan, United States Magistrate Judge, in these matters, the Court does hereby find and ORDER:

- (1) The Reports and Recommendations, docket no. 12 in C23-5724 and docket no. 18 in Case No. C23-5777, are REJECTED;
- (2) The Report and Recommendation in Case No. C23-5724 proposes to dismiss the claims of plaintiff Timothy Rozier for failure to prosecute because the service copy of an order staying this action was returned as undeliverable; the service

1 copy was addressed to Rozier at the Pierce County Jail, but Rozier is in the
2 custody of the Washington Department of Corrections; the Court therefore
3 DECLINES to dismiss Case No. C23-5724;

4 (3) The Report and Recommendation in Case No. C23-5777 proposes to dismiss the
5 claims of plaintiff Da'menique Beasley for failure to prosecute because the service
6 copy of a minute order striking certain motions was returned as undeliverable;
7 the service copy of the Report and Recommendation was also returned as
8 undeliverable; five days after the Report and Recommendation issued, Beasley
9 provided updated contact information, and despite not receiving the service copy
10 of the Report and Recommendation, Beasley has filed an objection; the Court
11 cannot conclude that Beasley has failed to prosecute and DECLINES to dismiss
12 Case No. C23-5777;

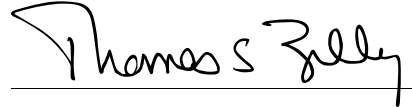
13 (4) Case Nos. C23-5724 and C23-5777 shall remain stayed pursuant to the Orders
14 entered on November 19, 2024, docket no. 10 in C23-5724 and docket no. 12 in
15 C23-5777;

16 (5) The Clerk is DIRECTED to update Timothy Rozier's contact information (DOC
17 No. 829578, Washington State Penitentiary) and to send a copy of this Order and
18 the Order staying the action, docket no. 10 in C23-5724, to Rozier via the Prisoner
19 E-Filing Initiative, see General Order 06-16;

20 (6) The Clerk is further DIRECTED to send a copy of this Order, the Order staying
21 Case No. C23-5777, and the Minute Order striking certain motions, docket nos. 12
22 and 16, to Da'menique Beasley via U.S. mail;
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1 IT IS SO ORDERED.

2 Dated this 17th day of April, 2025.

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5 Thomas S. Zilly
6 United States District Judge
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